AGENDA ITEM REPORT

Title: POST2410050 - MICHAEL KIM (POST ID: A63-W93)
LAST EMPLOYING AGENCY: SAN FRANCISCO SHERIFF'S OFFICE (CURRENT)

REPORT PROFILE

MEETING DATE 12/03/2025	**BUREAU SUBMITTING THE REPORT** Professional Conduct Central Bureau	
RESEARCHED BY Kevin P. Sherburne	**REVIEWED BY** Brian South	
REPORT DATE	**APPROVED BY** Manuel Alvarez, Jr.	**DATE APPROVED** 10/30/2025
PURPOSE	**FINANCIAL IMPACT** No	

ISSUE, BACKGROUND, ANALYSIS, & RECOMMENDATION

ISSUE:

The matter is before the Commission for review and action regarding the subject peace officer's certification status. The Commission shall return any determination requiring action to be taken against an individual's certification to the division, which shall initiate proceedings for a formal hearing before an administrative law judge in accordance with the Administrative Procedure Act (Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code), which shall be subject to judicial review as set forth in that Act.

BACKGROUND:

From August 2, 1999, to February 13, 2016, Respondent was employed as a Deputy Sheriff with the San Francisco Sheriff's Office ("SFSO"). He promoted to the rank of Sergeant on February 12, 2005. On February 13, 2016, Respondent resigned from SFSO. On May 25, 2018, Respondent admitted that a Declaration he filed in a criminal case was materially false and pled guilty in federal court to a violation of 18 U.S.C. Section 401(1), a misdemeanor Contempt of Court charge. On December 21, 2024, SFSO rehired Respondent as a Deputy Sheriff.

Audio/Video Evidence Links:

- **BR32 POST2410050 Extraction 3 1 Kim Michael 20250626 mp3**

- **BR33 POST2410050 Dunnigan Ryan 20250625**

ANALYSIS:

Respondent signed a Declaration in Support of Defendant Andy Li's Motion to Reopen Detention Hearing and Reconsider Detention on August 6, 2014, under penalty of perjury. In this Declaration, Respondent, while representing himself as a Deputy Sheriff, made several factual statements that were material to defendant Andy Li's motion and were materially false. Such materially false statements constituted serious misconduct, specifically, dishonesty relating to the reporting, investigation, or prosecution of a crime in violation of California Penal Code Section 13510.8(b)(1) and POST Regulation 1205(a)(1) because they were made in connection with the prosecution of Li while Respondent was employed as a peace officer.

The clear and convincing evidence substantiated that Respondent's Declaration contained materially false statements, in that he knowingly and willfully lied to a federal court, and that he obstructed justice in a federal criminal case through his lies.

In addition, Respondent told FBI Special Agents during an interview on August 19, 2014, that he did not know that Andy Li had a ballistic vest, that he dropped off a work-issued ballistic vest with his wife, who was at Li's wife's beauty salon, while he went out drinking with friends, and that he tried to get the vest back but forgot about the vest over time. The clear and convincing evidence substantiated that Respondent's statements to FBI Special Agents were materially false. The clear and convincing evidence further substantiated that Respondent's statements violated California Penal Code Section 13510.8(b)(1) and POST Regulation 1205(a)(1) because they were made in connection with a criminal investigation into Kim's criminal activity in submitting a false Declaration to a federal court and the criminal investigation about Li's criminal activities.

On October 9, 2025, POSAAB voted to decertify Respondent.

RECOMMENDATION:

The Commission shall review recommendations made by the Peace Officer Standards Accountability Advisory Board (POSAAB) regarding what action, if any, should be taken, suspension or revocation, on the certification of the subject peace officer. The Commission's decision to adopt a

recommendation by POSAAB to seek revocation shall require a two-thirds vote of Commissioners present and shall be based on whether the record, in its entirety, supports POSAAB's conclusion that serious misconduct has been established by clear and convincing evidence. In any case in which the Commission reaches a different determination than POSAAB's recommendation, it shall set forth its analysis and reasons for reaching a different determination in writing.

ATTACHMENT(S):

BR01_POST2410050_Kim_Michael_ISF.pdf
BR02_POST2410050_A_Kim_Michael_ExecReviewDivisionRec.pdf
BR03_POST2410050_B_Kim_Michael_POSTProfile.pdf
BR04_POST2410050_C_US_Opp_to_Li_Motion_to_Reconsider_Detention_Order_Redacted.
BR05_POST2410050_D_Interview_of_Michael_Kim_12_22_2014b_Redacted.pdf
BR06_POST2410050_E_Order_of_Detention_Pending_Trial_Redacted.pdf
BR07_POST2410050_F_Notice_of_Motion_and_Motion_to_Reopen_Detention_Hearing_and_
BR08_POST2410050_G_Declaration_of_Michael_Kim_Redacted.pdf
BR09_POST2410050_H_Declaration_of_Mimi_Li_Redacted.pdf
BR10_POST2410050_I_Minute_Order_Redacted.pdf
BR11_POST2410050_J_Information_Kim_Redacted.pdf
BR12_POST2410050_K_JUDGMENT_Redacted.pdf
BR13_POST2410050_L_US_DIS_CAND_3_18cr124_d10947289e796_Order_signed_11_2_2
BR14_POST2410050_M_Extracted_Michael_Kim_Archived_Triage_Report_pdfReport_-_edits_Redacted.pdf
BR15_POST2410050_N_Wan-ROI_Redacted.pdf
BR16_POST2410050_O_Fonthal_Final_ROI_Redacted.pdf
BR17_POST2410050_P_Extracted_Michael_Kim_Completed_12-12-2024_Redacted.pdf
BR18_POST2410050_Q_Martin_ROI_Redacted.pdf
BR19_POST2410050_R_Letter_from_Paul_Miyamoto_to_To_Whom_It_May_Concern_Redac
BR20_POST2410050_S_Interview_of_San_Francisco_Sheriff_s_Office_Deputy_Michael_She
BR21_POST2410050_T_0002_PLEA_AGREEMENT_v.1_Redacted.pdf
BR22_POST2410050_U_Defendants_Memorandum_in_Aid_of_Sentencing_Redacted.pdf
BR23_POST2410050_V_Redacted_Exhibit_C_to_Memo_in_Aid_of_Sentencing_Redacted.pd
BR24_POST2410050_Michael Kim_Supplement ISF 07 02 2025.pdf
BR25_POST2410050_FW from SO Counsel Masters_ Letters of rec from Paul Miyamoto_Redacted.pdf
BR26_POST2410050_M. Kim LOR_Captain Miyamoto_Redacted.pdf
BR27_POST2410050_M. Kim letter 2024_Sheriff Miyamoto_Redacted.pdf
BR28_POST2410050_Michael Kim 6.25.2025 POST interview transcript_Redacted.pdf
BR29_POST2410050_Ryan Dunnigan 6.25.2025 POST interview transcript.pdf
BR30_POST2410050_Kim_Final report of POST interview.pdf

BR31_POST2410050_Dunnigan_Final Report of POST interview
BR34_POST2410050_scrnshot properties of letter (1) from Miyamoto.pdf
BR35_POST2410050_scrnshot properties of letter (2) from miyamoto.pdf
POST2410050_Kim_Michael_October_2025_POSAAB_Agenda_Record.pdf
POST2410050_Kim_Michael_Board_Recommendation_Signed.pdf
POST2410050_Kim_Michael_Transcript_Board_10.09.2025.pdf